

AO 91 (Rev. 11/11) Criminal Complaint (approved by AUSA LaBar)

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

George Spain, aka  
"Fell," aka "Chris Miller"

Case No.

18-734-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 21, 2018 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

Title 18, U.S. Code, Section 2119

Armed carjacking

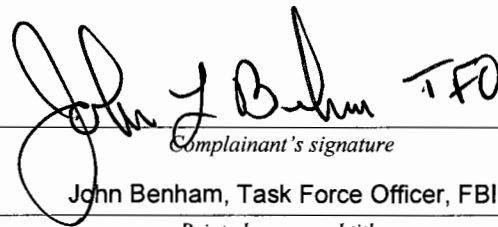
Title 18, U.S. Code, Section 924(c)

Using and carrying a firearm during and in relation to a crime of violence.

This criminal complaint is based on these facts:

See attached affidavit, incorporated here.

☒ Continued on the attached sheet.

  
Complainant's signature  
John Benham, Task Force Officer, FBI  
Printed name and title

Sworn to before me and signed in my presence.

Date: May 8, 2018

City and state: Philadelphia, Pennsylvania

  
Judge's signature  
U.S. Magistrate Judge Lynne A. Sitarski  
Printed name and title

**AFFIDAVIT**

I, John Benham, Task Force Officer, Federal Bureau of Investigation (FBI), being duly sworn, state as follows:

1. I am employed as a Philadelphia Police Officer for the City of Philadelphia, and have been so employed since June 1998. I am currently assigned to the FBI Violent Crimes Fugitive Task Force (VCFTF) of the Philadelphia office, which investigates violations of Federal law to include robberies of banks, kidnapping, fugitives, murder for hire, robberies of business that affect interstate commerce, also known as Hobbs Act robberies, armed carjackings, and other offenses involving the use of firearms.

2. This affidavit is submitted in support of a criminal complaint and warrant for George SPAIN, a/k/a "Fell," aka "Chris Miller" for violations of Title 18, United States Code, Sections 2119 (armed carjacking), and 924 (c) (use of a firearm during and in relation to a crime of violence).

3. I obtained the information contained in this affidavit through my investigation and through the information relayed to me by fellow agents, Philadelphia Police Department (PPD) detectives, police officers, and civilian witnesses. Because I am submitting this affidavit for the limited purpose of securing an arrest warrant for George SPAIN, I have not included every fact known to me concerning this investigation, but have rather set forth only facts necessary to establish probable cause.

4. On March 21, 2018, at approximately 6:30 p.m., an armed robbery/carjacking took place in the area of 5600 Bloyd Street, in Philadelphia, Pennsylvania. Taken during the carjacking was a Blue 1997 Lexus, ES400, with a Pennsylvania registration plate of KRK-8236. This car was not manufactured in Pennsylvania, and was instead shipped in interstate and foreign

commerce. Also taken were three cellphones and approximately \$150.00 cash. The victim initially reported to police only that the car had been stolen. The next day the victim made a complete report to police.

5. On March 22, 2018, at approximately 11:55 a.m. at the Philadelphia Police Department North West Detective Division (NWDD), the victim of this armed carjacking spoke with Philadelphia Police Detective Craig Coulter regarding his car and belongings being taken from him at point of handgun. The victim told detective Coulter that he knew the carjacker by the street name "FELL," with the true first name of George, who resides on the 5600 block of Stokes Street, Philadelphia, Pennsylvania. (Both the victim and the carjacker are from the same neighborhood.) The victim explained that on March 21, 2018, at approximately 6:30 p.m., he was sitting in the aforementioned vehicle with his cousin in the 5600 block of Bloyd Street, Philadelphia, Pennsylvania. At that time, "FELL" approached the car, opened the passenger door of the vehicle, pointed a black handgun in the direction of the victim and his cousin, and ordered the victim's cousin out of the car. The cousin complied and exited the vehicle. "FELL" got into the car, still pointing the firearm at the victim, and demanded everything that the victim had. "FELL" took from the victim approximately \$150.00 United States Currency (USC) and three cell phones. "FELL" then ordered the victim to drive him to the 5600 block of Stokes Street, Philadelphia, Pennsylvania, which is just around the corner from the 5600 block of Bloyd Street. The victim complied and drove "FELL" to the 5600 block of Stokes Street. "FELL" then ordered the victim out of the vehicle. The victim did as he was told and exited the vehicle. "FELL" then drove off with the victim's car.

6. During the interview, the victim was shown a photo array by Detectives. The

victim identified George SPAIN (PA SID#34349312) as the person that robbed him of his vehicle, cash, and phones at gunpoint on March 21, 2018, at approximately 6:30 p.m. in the 5600 block of Bloyd Street. Detective Coulter asked the victim why he originally reported his car stolen and not carjacked. The victim explained that “FELL” has a very bad reputation in the neighborhood for shooting and robbing people. “FELL” told the victim if he talked to the cops he would kill him. The victim explained to Detective Coulter he is really scared of “FELL”.

7. On March 27, 2018, at approximately 4:45 p.m. Detective Coulter interviewed the mother of the victim at NWDD. She said that when she learned from her son that he had been robbed at gunpoint by “FELL,” she urged him to go to the police and report the crime. She advised that the day after her son came to the police to make the robbery report, she received information from her boyfriend that GEORGE (“FELL”) was going to kill her and her son for doing so. “FELL” told her boyfriend (via cell phone) that “he wasn’t going back to jail, no one was gonna take him from his kids”.

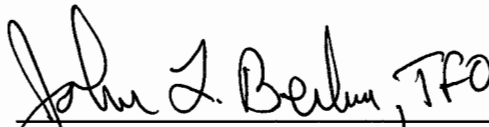
8. On March 29, 2018, at approximately 1:50 p.m. the Philadelphia Police NWDD and the FBI Violent Crimes Task Force went to 5628 Stokes Street, Philadelphia, Pennsylvania, (the last known address of George SPAIN) armed with a search warrant (#209584) for said address. As they approached the address, police observed George SPAIN seated in the passenger side of a parked Burgundy Ford Taurus, along with another male in the driver’s seat. Officers removed SPAIN and the driver, later identified as Anthony Miller. Anthony Miller advised police he had a firearm in the console of the vehicle and that he was licensed to carry a firearm. Officers removed the firearm from the console and secured it. A cursory search of the glove box, which was directly in front of SPAIN, revealed an apparent firearm. The vehicle was thus held for a search warrant. SPAIN and Anthony MILLER were transported to NWDD for

investigation.

9. On March 29, 2018, a Commonwealth of Pennsylvania search warrant (#209591) was obtained for the 2018 Burgundy Ford Taurus. The car was searched. Recovered from the glovebox was a Black Hi Point 9mm semi-automatic handgun which fits the description of the firearm used in the carjacking of the victim in this case.

**Conclusion**

10. I submit based on the above that there is probable cause to believe George SPAIN, has violated Title 18, United States Code, Sections 2119 (robbery which interferes with interstate commerce), and 924(c) (use of a firearm in furtherance of a crime of violence). As such, I request that this Court issue a warrant for the arrest of George SPAIN.

  
John Benham, Task Force Officer  
Federal Bureau of Investigation

Sworn to and subscribed  
before me this 8th  
day of May, 2018

BY THE COURT:

  
HONORABLE LYNNE A. SITARSKI  
United States Magistrate Judge